



Absurdity of Law and Order: An existentialist reading of Franz Kafka's *The Trial*

Barbita Ghosh

ghoshbarbita99@gmail.com

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Abstract— This paper aims to posit the absurdity with which Franz Kafka has treated the element of Law and Justice in *The Trial*. It is through the character of Josef K., the protagonist, that one comes across the fragility of a citizen's fundamental human rights and how one tragically succumbs to the inevitable trial and execution implemented by the bizarre judicial system. This paper piles up instances from the novel to validate its argument questioning the dysfunctionality of the jurisprudence: the baselessness of the arrest of Josef K., the unprofessional conduct of the court, the adulterous approach of the worker-lady in the court and, the ultimate execution of the accused. Josef K. being trapped in a labyrinthine network of bureaucratic traps, a Kafkaesque representation; this paper aims at exploring the totalitarian state of the novel's setting and parodies the dark legal system that navigates throughout the novel leading to the transformation of the trials into a judgement. The existential misfortune to which all humans are destined, the inescapable suffering, brings out the absurd element of the novel.



Keywords— Absurdity, Law, labyrinthine, bureaucratic, Kafkaesque, totalitarian.

I. INTRODUCTION

The literature of absurd is the term applied to a number of works in drama and prose fiction which have in common the view that the human condition is essentially absurd, and that this condition can be adequately represented only in works of literature that are themselves absurd. Both the mood and dramaturgy of absurdity was anticipated as early as 1896 in Alfred Jarry's French play *Ubu Roi* (Ubu the King). The literature has its roots also in the movements of expressionism and surrealism, as well as in the fiction, written in the 1920s, of Franz Kafka (*The Trial*, *Metamorphosis*). The current movement, however, emerged in France after the horrors of World War II (1939-45) as a rebellion against basic beliefs and values in traditional culture and literature. This tradition had included the assumptions that human beings are fairly rational creatures who live in an at least partially intelligible universe, that they are part of an ordered social structure, and that they may be capable of heroism and dignity even in defeat. After the 1940s, however, there was

a widespread tendency, especially prominent in the existential philosophy of men of letters such as Jean-Paul Sartre and Albert Camus, to view a human being as an isolate existent who is cast into an alien universe; to conceive the human world as possessing no inherent truth, value, or meaning; and to represent human life—in its fruitless search for purpose and significance as it moves from the nothingness whence it came toward the nothingness where it must end—as an existence which is both anguished and absurd.

Samuel Beckett (1906–89), the most eminent and influential writer in this mode, both in drama and in prose fiction, was an Irishman living in Paris who often wrote in French and then translated his works into English. His plays, such as *Waiting for Godot* (1954) and *Endgame* (1958), project the irrationalism, helplessness, and absurdity of life in dramatic forms that reject realistic settings, logical reasoning, or a coherently evolving plot.

The term 'Kafkaesque' has come to be used to describe what are perceived as typically or even uniquely modern traumas: existential alienation, isolation insecurity the labyrinth of state bureaucracy, the corrupt or whimsical abuse of totalitarian power, the impenetrable tangle of legal systems, the knock on the door in the middle of the night or, in Joseph K.'s case, just before breakfast. *The Trial* is the popular absurdist and existentialist novel by him.

Jean-Paul Sartre defines absurdity as that which is meaningless. Man's existence is absurd because his contingency finds no eternal justification. There is no reason for either the world or himself to exist. He chooses his values, gives foundation to values by recognising them as such, but there is no proof of the validity of the values he chooses. This also renders all our projects meaningless. Sartre is not saying that reason is unimportant but he is pointing out that There is only intuitive knowledge and that our life is guided by subjective passion rather than by rationalism. But it is Albert Camus who emphasized the primacy of absurdity most. He too agrees that there is no reason for either the world or the individual to exist. This makes the very existence of world itself a source of dead. We can feel the world, yet all the knowledge on earth will give me nothing to assure me that this world is mine. Absurdity therefore, is the only bond between the world and man. Existence defies this awareness of absurdity. Camus says that it is not a question of rational or irrational; the world is merely unreasonable and reason sets man against the world. Man needs clarity, but the world has none to offer. This is exactly the situation in Kafka's *The Trial*.

In *The Trial*, the theory and practice of jurisprudence is all funny and inexplicable. There lies a list of absurd law elements in the novel. First, the arrest of the protagonist Josef K. out of nowhere; second, there is no evidence of the crime; third, someone might have been telling lies about K.; fourth, the unethical approach of the two police-constables; fifth, the probability of Josef's name been mistaken for someone else's; sixth, the lawlessness of the courtroom and the judge-in-charge; seventh, the ambience of the court; eighth, illicit engagement of K. with Leni. The most unjust totalitarian ramification of this indescribable and unjustified crime is the execution of K. on his thirty-first birthday.

"Someone must have been telling lies about Josef K., he knew he had done nothing wrong but, one morning, he was arrested". (5) A trial is the process of ascertaining the truth of an offence committed by an accused person based on the facts and evidences of the case. The process usually takes place after an investigation is done and the

accused person is arrested or taken into custody. Every trial is expected to be carried out in a manner that is fair as well as legally and morally justifiable. In order to ensure this, it is necessary for the authorities to carry out the investigation, arrest and final trial in a manner that keeps the person's rights and basic dignity intact. It is also necessary to inform the person of these rights as well as the grounds on which they have been arrested and tried. The arrest too should follow certain basic protocols including restrictions on movement and continuous supervision while not violating the basic rights and duties.

The Trial is a novel that follows the story of the protagonist, Josef K, a chief clerk at a bank with a good reputation. The novel discusses the absurd series of events he had to face after he was suddenly "arrested" one morning. Kafka brings to the forefront, the theme of frustration and helplessness while dealing with a corrupt, incomprehensible and unjust justice system that seemed to be highly stifling to those who seek justice. Justice was never served as a result of a court system and the police that were driven by corruption. Ironically, until the end, he was completely powerless and trapped by the baffling system of authorities and laws in what he referred to as a "Free Country".

The aspects of a justifiable trial in contrast to an incomprehensible legal system will be discussed in reference to the novel. In addition, there is an attempt to study the ideological contrasts provided by Kafka between his presentation of a totalitarian world with bleak law and Aristotle's discourse on State and Law. It also highlights the Marxist way of a superior class or community offending the rights of a lower class or community. In the novel, metaphorically, the authoritative power(bourgeoisie) is held by the Law and its retinues over the naive K.(proletariat). He suffers for his lack of engaging in defence for his rights, his disinterest in freeing himself from this false allegation and custody as soon as possible. His procrastination to free himself rather leads to a build-up series of proceedings and his loss of life.

This paper argues that the absurd law is at play in Franz Kafka's *The Trial*, where law confines and deprives one of his/her rights and hegemonically controls one's life to such an extent that it leads to complete loss of meaning and purpose.

II. THEORETICAL FRAMEWORK

The surreal Kafkaesque depiction of the events in the novel, *The Trial*, reveals the oppressive and disoriented performance of law which leads to Josef K's trial for a crime not committed. This paper utilizes the theories of Aristotelian ideology of State and Marxist ideologies of

Marxism and Capitalism to substantiate the prime theory of Absurdism. It reflects on the idea of how humans are meant to undergo several experiences because of the bleak functioning of certain powerful institutions and how totalitarianism paralyzes the citizens to exercise their basic human and legal rights.

Firstly, this paper uses the theory of Aristotelian ideology of the state and challenges it. According to Aristotle, the state is a necessary condition for all humans. Like Plato, he doesn't differentiate between state or society and, in a similar fashion, considers it to be essential for a good life. Thus, in his view, the 'State is a necessary condition of a good life'. Aristotle believes that 'Man is a political animal'. It is important to understand why he perceived the state as natural for humans. According to him, there is no difference between an animal or a human being, other than the fact that a human being has the desire and a sense of living a good life. What it means is that human beings become different from animals only if they exist in a state. It is the same desire to lead a good life that makes the formation of a state a natural thing to occur.

Aristotle is known for his dictum: 'State is prior to man'. Chronologically, it is a man who appears before the state. Still, since it is the state that makes human beings capable of completing their needs and fulfilling the objective of a good life, the state is given priority over the man. This idea of a good life with the existence of state and government is challenged by Kafka in *The Trial*. It is the disoriented functioning of state and government which flips the protagonist's world upside down and ends up in a whirlpool of clueless accusations and illegal proceedings.

The Kafkaesque representation of the novel contradicts Aristotle's claim of State being necessary condition for a good life. A Kafkaesque element in a text indicates the presence of meaningless, surreal, unpleasant and nightmarish qualities of a fictional world. The essence of Kafkaesque in the novel is brought by the defective law of the state which leads to Josef K's suffering and execution. Hence, in this way state; government and law altogether does not provide the essential condition for a good life. It rather uproots K. from his daily well-to-do life and leaves him in a series of turbulent mishaps.

Secondly, today's society is run by and thrives off capitalism, ruled by our government. Many things are kept surreptitious from us. The government feeds us lies to silence us and to force us conform to society's customs, this is evident in the novel *The Trial*. It depicts the way in which society is ruled by an autocratic hierarchy, which is kept secret from the working class. This is a metaphor for the Marxist ideology of the bourgeoisie exploiting the proletariat in a capitalist society. *The Trial* by Franz Kafka

was published in 1945 and follows the injustice of the main character Josef, who is arrested by two wardens, and prosecuted on unnamed charges. "Without having done anything wrong he was arrested one fine morning". The nature of his crime is kept confined from him and the reader. Throughout the novel, Josef struggles ineffectively against an oppressive and autocratic court system, only to be abruptly executed, at the end of the novel.

The origins of Absurdism took shape in the 20th century with the help of philosopher Albert Camus (also known in the realms of nihilism and existentialism, two similar philosophies). The philosophy of the Absurd arises from the fundamental disharmony between the human tendency to seek meaning and the idea that no true meaning really exists.

All these theories interweave with each other to induce the fabricated arrest and trial of K. in the novel. The possible ways in which the established forms of judicial institutions can intrude on one's basic rights and lead to an unjustifiable retribution are what that makes the entire procedural of jurisprudence absurd, funny and inexplicable in *The Trial*.

III. METHODOLOGY

The research method used in the completion of the paper is done through the use of Primary source, that is, the novel itself and, the Secondary sources such as the research materials of different writers. The theoretical frame of reference is that this paper uses the theories of Aristotle's ideology of State, Law and Government; theories of Marxism and Capitalism; and the Absurd theory to study and claim the false structure and performance of Law in *The Trial*. The process of trial and justice has been completely altered by Franz Kafka to foreground his pivotal trait: the gloomy and doomed delineation of a totalitarian world.

This paper has used several instances and quotations from the primary source to substantiate its sole argument- the absurdity of law and order in *The Trial*. The process of gathering information from secondary sources is done through a keen reading of the resource e-materials available on the internet related to the particular selected argument, the theories used in this paper, and other related materials.

Literature Review

Franz Kafka's novel *The Trial* explores the theme of absurd law, its corrupt nature and also how it is inexplicable. It is empirically ungrounded and lacks the proper structure of proceedings.

Disha Mondal in her research paper “*The Trial* by Kafka: in the light of absurdism and existentialism” depicts the follies of this society, entire system of law and order and the helpless condition of man. In this article she has tried to explore the novel in the light of absurdism and existentialism.

Trisha Prasad in her research work “Irrational Law and ‘Injustice’: A Study of Kafka’s *The Trial*” presents a descriptive analysis of the novel *The Trial* by Franz Kafka in terms of the unfair trial, unconventional arrest and an incomprehensible legal system which form the core aspects of the story.

In “Treatment of Law in Franz Kafka’s *The Trial*”, Debarati Chanda show how the complex and ambivalent nature of the legal system very often try to victimize the fate of an innocent individual who even falls prey to the danger of unending prosecution without allowing him to enquire about the nature of his guilt.

Fatemeh Azizmohammadi, Hamedreza Kohzadi and Seyed Abolfazl Makki in “A Study of Franz Kafka’s *The Trial*” attempts to examine Kafka’s famous work especially in terms of humanistic issues such as guilt, freedom, alienation, etc.

This paper entitled, “Absurdity of Law and Order: An existentialist reading of Franz Kafka’s *The Trial*” attempts to provide an addition to the existing literature research materials on the themes of absurdity, existentialism and dysfunctionality of law, state and government. It not only evaluates the inappropriate functioning of superior authorities in the fictional world, but also underscores the corrupt nature of jurisdiction which paralyzes the normal living and existence of its citizens.

IV. ANALYSIS

With the title itself, *The Trial* catches one’s attention to the pivotal theme of the novel- the trial of Josef K., the protagonist. Franz Kafka, popular for his Kafkaesque representation of the fictional world, adequately deals with the absurd theory to draw a befitting contrast between the procedure of trial carried on in his novel and the trial procedure in real world. A trial, in simple words, is a process of arresting and trying a person for a crime committed with appropriate and quality evidence provided for verification. A person is first presented the arrest warrant upon which he/she is summoned. The evidence is provided in the court to prove someone as guilty or innocent. If guilty, he/she is reprimanded; if innocent, released. This is the structure which a judicial trial follows in a normal world. However,

it is Kafka’s way of dealing with law in an absurd manner; to make it an important factor in leading K’s life towards meaninglessness.

The correlation of literature and law has been visualized down the ages from the period of ancient Greek tragedy to the modern age. There are ample evidences that clearly provide the proof of the vast impact of many literary works done in the field of law. Shakespeare, Charles Dickens, Franz Kafka, Garcia Marques, Dostoevsky and many other well-known authors have left their signature marks by framing literary works utilizing law as the foundational pillar of their creative writings. Their works often highlight the ongoing socio-political systems of the contemporary age as well as the judicial systems of their times. Their ardent insight and critical analytical power help them to discover loopholes and narrowness of the judicial system, inadequacy of the proper right to self-defence, lack of proper knowledge of the common people regarding the legal procedure, injustice done by lawyers and other foibles and follies of the legal system. *The Trial* is about the complicating legal system, its flaws, concept of justice, role of lawyers – in short, it is about law itself. In her research work “Treatment of Law in Franz Kafka’s *The Trial*”, Debarati Chanda mentions how “Kafka referred to “the narrow keyhole of one’s own personal experience while providing the image at the supreme omnipotence of law in the society”. (187)

Franz Kafka in *The Trial* has tried to highlight the ambivalence prevailing in the legal procedure. He shows how the complex and ambivalent nature of the legal system very often try to victimize the fate of an innocent individual who even falls prey to the danger of unending prosecution without allowing him to enquire about the nature of his guilt. The story of *The Trial* revolves around a man, Josef K., a respectable high-ranking banker waking up on his thirtieth birthday to a surreal situation that highlights the irrationality and Bureaucracy of law. He was caught in the web of irrational and incomprehensible “Justice” and law. The situation is one that is unexpected and extremely troublesome. He was arrested but it was arrest which was completely out of the ordinary as K was allowed to live in an almost free manner, at home and going to work as before while undergoing an unjustifiable trial. It was also unfair as K was never informed about the reason for his arrest, he didn’t know what offence he was charged for. The story ends with him being executed. He died without knowing the reason for his arrest. He didn’t even have a chance to have a fair and justifiable hearing. Although a few minor rules of a fair trial and arrest were followed, a majority of the features of a justifiable trial and the very essence of a fair trial were blatantly ignored.

The central themes of the novel revolve around and are related to the frustration caused due to the incomplete nature of information regarding the offence and the judicial process that followed.

K. experiences a mysterious and unexpected series of events since the very beginning of the novel when men who claimed to be guards (police) walked into his room while he was still in bed and claimed that he was under arrest. This arrest is extremely peculiar on a couple of grounds. Apart from that fact that the guards did not have any warrant for the arrest or proof of identification to validate the arrest, the guards themselves had no information about the reason for the arrest except for the fact that someone had accused K. of committing an offense.

In "The Arrest" chapter, the two guards Franz and Willem act as clueless puppets at the hands of law. They do not know why K. is arrested, but simply follow the commands of their supervisor. "It has to be a black jacket." (11): the unreasonable demand of putting on a black jacket to meet the supervisor for his trial is what makes K's helplessness more vivid to the readers, as he cannot undo it. The moment when K. wishes to know the grounds on which he has been arrested, the guards are unable to fill him in with the appropriate information as they do not have any access to higher level of jurisdiction. Their sole duty was to arrest K. without knowing or daring to know the cause behind it. Furthermore, they ridicule K. when he wants to exercise his basic rights stating, "Look, Willem, he admits he doesn't know the law and at the same time claims he's innocent". (9)

"These gentlemen here and myself are of minor importance as far as your case is concerned, indeed, we know almost nothing about it. We could be wearing the most proper of uniforms and your situation would be no worse. I cannot inform you that you have been charged with anything or, rather, I do not know whether you have been or not. You have been arrested, that is a fact, and that is all I know" (12).

The dysfunctionality of law-structure is witnessed again when one comes to know that the supervisor himself has no idea about K's crime. He cannot answer to K's inquiries and cannot even say firmly whether it is K. who is to be arrested.

The very fact that K. is offered breakfast before he is taken to the supervisor by Franz and Willem, or the fact that he is allowed to go to his work like a regular person reflects the loose-ends of the trial. Unlike those charged with a case, K. is set free to carry on his life like a normal person. K. parodies the 'custody' as being 'stupid' because if he is to be left free as a bird having committed

an offence, then why was he even arrested in the first place. The arrest-episode is all funny as it is out of order and still shows how the police officials act to be in-order of this falsely structured law. Here lies the absurd element as both K. and the officials are drawn towards their inability to act against injustice. They move purposelessly towards the direction showed to them by the bizarre law where none knows the reason of the trial.

The Courthouse, a troublesome setting, is another addition to the absurdity of law and order. The street was lined on both sides with almost identical houses, tall, grey tenements where poor people lived. Inside the building, K. is not even helped by the people around to locate the room in which the hearing is to be held. Furthermore, he gets in the way of a lot of children who are playing on the stairs and are giving him angry looks as he passes through their line. The courthouse seemed like a rent house with "rooms where the beds were still being used, occupied by people who were sick, or sleeping, or lying on them fully clothed". (30) Their construction is ramshackle and absurdly inconvenient. Even in the cathedral, the prison chaplain addresses K. from a small pulpit that stands beside the main pulpit, and seems so badly designed that a preacher cannot stand upright in it. The lumber-room scene especially implies that the court exists in spaces that people have locked up and forgotten about, and invites a psychoanalytic interpretation in which the court occupies the space of the unconscious.

He has the first hearing in a narrow room with people sitting there and gossiping, ignoring K. Basically, judges do not give hearing date on Sundays. However, in Kafka's fictional world, this is a possibility. If apprehending someone without evidence works alright in Kafka's fictional world, then a hearing on Sunday is usual as well. Moreover, K. is rebuked for being late for his hearing, the judge completely ignoring the tangled structure of the building.

Inventing a false identity, K. searches for the courtroom in the building. In a genuine trial, the suspect is taken to and presented before the court by the police guards. However, in this case, K. is freely and falsely searching for someone (Lanz) as he does not want to present himself as the suspect before the workers of the courthouse. From the point of view of criminal law on this case nowadays, it was obviously not due process of law. Due process of law, means that law should rule the whole procedure. The procedure should be fair and reasonable. The political system is limited by this standard. In this way, the fact finding and dignity of individual could be maintained. The punishment should be conducted in a just way. The litigation rights which are protected by the

constitution could be put into practice when the procurator and advocate would be on the fair stage.

"In the first interrogation, K said, there can be no doubt that behind all the actions of this court of justice, that is to say in my case, behind my arrest and today's interrogation, there is a great organization at work. An organization which not only employs corrupt wardens, stupid Inspectors, and Examining Magistrates of whom the best that can be said is that they recognize their own limitations, but also has at its disposal a judicial hierarchy of high, indeed of the highest rank, with an indispensable and numerous retinue of servants, clerks, police, and other assistants, perhaps even hangmen, I do not shrink from that word. And the significance of this great organization, gentlemen? It consists in this, that innocent persons are accused of guilt, and senseless proceedings are put in motion against them, mostly without effect, it is true, as in my own case" (37).

This quotation reflects the fallacy with which the Law works in the novel. K. vividly points out the defects of the entire judicial process. He shows how such organisations abuse their powers against the innocent ones. Through this statement Kafka attempts to highlight the corrupt nature of Law and order. Corruption not only exercises itself in the fictional world created by Kafka in the novel, but also in the real one. In a way, Kafka throws light on the corruption relevant in the contemporary world. False accusation, bribery, tampering with the evidence, bail-release on high demand, execution or murder are some of the tributaries of corruption. This is the absurd reality which people cannot escape from in either of the worlds.

Likewise, corruption is reflected through the symbol of 'sex'. The adulterous approach of the usher's wife in the courthouse building is totally inappropriate. She throws herself at K. She offers to help K., although it isn't clear whether she's actually helpful. She appears to sleep with a lot of men in the court system. The only real help the court usher's wife seems to provide K. is to let K. take a peek at the examining magistrate's books, which are actually pornographic novels. The association of the court usher's wife with prostitution contributes to the general portrayal of the court system as corrupt. "The court too is full of surreptitious sexuality. The examining magistrate is reported to be an inveterate womanizer." (p. 49) The examining magistrate conducts K.'s initial court inquiry. K.'s discovery that the examining magistrate's law books are actually pornographic novels confirms K.'s suspicion that his trial is a terrible joke.

The term "court" may as well be interchangeable with "sex" here. Fraülein Bürstner's attempt in becoming a

secretary in a law firm is doubly ironic because, as we learn throughout the novel, all the women associated with the courts have a tendency to sleep with anyone remotely associated with the courts.

Lawyer, an important part of court and order, yet adds on to this absurdity. If one's defence lawyer always meets in his bedroom, chances are he's probably not the man you want defending you from imminent execution. Sadly, K. is so wrapped up in Leni's charms that it takes him some time to wriggle out of Huld's control.

Huld's power over his clients can partly be attributed to the fact that he's able to convince them that common sense is incompatible with the world of the courts. Common sense says a bedridden lawyer is not the best man for the job; Huld says no, actually, he *is* the best man for the job because he's got personal connections in the court, and presto change-o – out of a dark corner of his bedroom pops out the supposedly influential Chief Clerk. Common sense says a good lawyer helps the defendant work toward a prompt acquittal; Huld explains to K. that trials are a long, drawn-out process. Certainly, Huld has yet to complete the first petition – another red flag – but a lawyer's true function is to work outside the courts, influencing judges and other court officials by chatting them up when the opportunity arises.

Perhaps it is because K. continues to be sceptical of Huld's worth that Huld's treatment of K. is markedly different from his treatment of Block, his other client. While Huld flatters K. and humours K.'s questions with an almost fatherly condescension, Huld is frankly abusive toward Block. Huld's very words make Block quake and shudder as if Huld were actually physically threatening him, which is doubly ludicrous given that Huld is bedridden. K.'s insight into Huld's duplicity doesn't really do much for his case, however, because, shady as Huld is, Huld *is* truthful about the way the court works in all of its illogicality.

"But the hands of one of the men were placed on K.'s throat, whilst the other plunged the knife into his heart and turned it round twice. As his sight faded, K. saw the two men leaning cheek to cheek close to his face as they observed the final verdict. 'Like a dog!' he said. It seemed as if his shame would live on after him" (165).

Finally, it with K.'s execution that this ludicrous trial comes to an end. The entire proceedings of *The Trial* do not culminate in a final judgement, rather ends up in 'nothingness'. Without adequate proof, the overall matter is understood to be null and void. However, in a world where one is taken into custody without any base, executed without proven guilty is also a possibility. Two gentlemen arrive in the last chapter of the novel to escort

K. to his execution. Their appearance parallels the two guards who arrest K. in the first chapter of the novel. The executioners' extreme courtesy toward K. oddly makes his execution even more terrifying because of the creepy contrast between their polite demeanour and their gruesome task. What's more is that such an execution gives the impression of some sort of personal rift and revenge. It gives the idea that someone might have fabricated the entire case and falsely accused K. and when does not get the desired outcome, hires men to kill him.

Kafka has efficaciously presented a world of absurd law and order, one which strikingly challenges the Aristotelian notion of state, law and government. According to Aristotle, a state "is composite, like any other whole made up of many parts; these are citizens, who compose it". (*Politics Book III*, 52.) He then argues that "[h]e who has the power to take part in the deliberative or judicial administration of any state is said by us to be a citizen of that state; and, speaking generally, a state is a body of citizens sufficing for the purposes of life." (*Politics Book III*, 53.) From an Aristotelian standpoint, state; law and government work altogether for the progress of the nation and its citizens. It provides a supporting atmosphere for the flourishing of the people and state is a 'necessary condition' for good life.

This notion of 'state is a necessary condition for good life' is what which is absent in K.'s world. Kafka attempts to present a contrasting state which exists to make its citizens suffer. In the novel, there is no sign found which can prove the upliftment of the characters. The protagonist suffers the most, unreasonably indeed. Law functions all absurdly. A man is taken into judicial custody without any warrant or evidence. He is not allowed to know his crime. Different levels of corruption are witnessed by him. He is stabbed in the end. The whole process follows no rule, but feigns to do such. State and government lead K. towards an end most unanticipated by him. He even understands how people like him are forcefully made guilty by the authorities. Even the lawyer admits the lack of truth or 'common-sense' in the courts. Had the state been 'conditioned good', K. could have met a proper end in the most appropriate legal trial. The entirety of the case is based on a lie, there being no evidence available at hand to prove K.'s offence. Thus, state and law add no 'purpose' to K.'s life.

Additionally, Kafka uses Marxism and Capitalism; metaphorically, to corroborate the absurdity of law in this novel. The higher authorities in the novel act as the upper class of society which dominates K., the lower class of the society. French Marxist theoretician Louis Althusser points us the significant distinction between

state power and state control. State power is maintained by using two types of apparatus, which are the ideological state apparatuses and the repressive state apparatuses. The repressive state apparatuses include law courts, the police force, the army and prisons. These things try to maintain hegemonic control of the state over the citizens. The proceedings take place in such a manner that is bounds one to perceive it as natural. Hegemonically, right from Franz and Willem arresting K. in his bedroom to his final execution, the law tries to maintain its clutches over the protagonist in a repressive manner. The administration acts in a capitalistic manner where the court and its rules are maintained and exploited according to the convenience of the superior section of society- the magistrate, lawyers, and retinues of court. Nevertheless, the concept of justice generally is connected with mercy and humanity, not with force, violence and victory. But, the very mingling of the figure of the Goddess of the Hunt with the Goddess of Justice indicates that the concept of justice is driven on by force and victory.

These theories have undoubtedly helped Kafka to highlight the prime aspect, absurdism, which makes his works gloomy-doomy. The events in the bleak ominous world of *The Trial* are carried out in such a way that it leads to a loss of purpose and meaning of life. The protagonist is placed in a loony world where administration works in a preposterous manner. The unethical arrest of K. in his apartment, his repetitive trials for a crime not committed- all makes him yield before the harassments of the empirically and theoretically ungrounded law. It does not lead to any productive outcome such as the accused proven innocent, but rather uses violence and wraps up into a 'nothingness'. The entire fate of the protagonist, tracing between his thirtieth and thirty-first birthdays, mirrors the meaninglessness of his life when viewed from the lens of the law functioning in *The Trial*.

The only offence committed by K. is that he does not try to make an attempt in rescuing himself from this grotesque law. He gives in to the process by attending the proceedings, interrogates the supervisor and magistrate but lacks firmness as he is too busy in engaging with the women characters in the novel. "Nothing happens, nobody comes, nobody goes, it's awful!" (*Waiting for Godot*, 56). Similar to *Waiting for Godot*, there is a paucity of action or purpose in this novel. There is a suffering deeply rooted in the course of the novel. A world where an individual who is not allowed to know what he/she did to get arrested; one who is not shown his/her arrest warrant; one who walks into an attic-sized courtroom where law-books are actually pornographic books; where one has court trials on a Sunday; a trial where the magistrate is unaware of the

exact identity of the culprit; a judicial system where lawyers know the drawback of the system itself, a corrupt structure where all are related through a sexual act, is one which is definitely preparing solid grounds for the individual to suffer. A young man with a wholesome job is robbed off his peace and is thrown to the clutches of dark misery. Throughout the novel, K. suffers for something purposelessly. A sort of stagnancy comes to his normal life where he is removed from a world which adds meaning to his life and is stranded in an absurd world. His life ultimately meets a tragic end when he is executed by two men without any apparent reason. Hence, nothing is proven and nothing solved.

Everything boils down to one thing- 'nothingness'. Thus, in this way, Kafka's attempt appears to be a successful one as he leaves his readers in a pickle as one cannot find out the reason behind the entire series of events. The readers are allowed to make their own interpretations. However, one thing which Kafka makes prominent in this novel is that a corruptly structured law can leave anyone in a dilemma, be it in a real world or fictional.

V. CONCLUSION

Summarily, this paper not only points out the improper functioning of the judiciary in *The Trial*, but also highlights how the state presented in the novel challenges the Aristotelian ideology of state, man and government and relies on Karl Marx's ideology of Marxism and Capitalism.

The Trial enquires into the field of locating the correct nature of guilt whether a person should be considered guilty without any legitimate charge against him or not. Kafka in this novel is trying to point out the loopholes in the system of law. Throughout the story K. is unable to discover his actual crime: "I deduce that from the fact that I have been accused but cannot find the least thing I am guilty of with which I could be charged". (12) K. is actually fighting an ever-ending battle to solve a fruitless puzzle of law.

Kafka has used multiple symbols to amplify the mysterious nature of the entire system of law including location and atmosphere of the court room, arbitrariness of the legal procedure and nature of the lawyers in the contemporary society. Symbols have the power to delve deep into the inner nature of a particular subject providing critical analytical perspective of various issues related to that thing. Kafka very skilfully adopts the technique of employing various symbols like darkness, light, dust to throw light on the complex nature of law. The very atmosphere of the Court is covered under the veil of

darkness, dust and suffocation. Lack of air clearly points in adequacy of proper justice which a person is longing for. The darkness, dust and especially the fog surrounding the court give the clear vision of complex, ambiguous and puzzling nature of the judicial system.

To sum up, it is hence evident through the analysis of the novel and the paper that there is indeed an absurd presentation of law in the novel which leads to the existential crisis of Josef K.

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